

10400 Eaton Place  
Suite 312  
FAIRFAX, VA  
Phone: (703) 385-5200  
Fax: (703) 385-5080

**KEATING & BENNETT LLP****Fax****EXED**

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**To:** Mrs. Javonna Hayes **From:** Sonia V. McVean**Fax:** 703-748-8827**Date:** February 12, 2003**Phone:** 703-306-5657**Pages:** 7**Re:** 09/730,461**CC:**

36856.826

---

**•Comments:**

Dear Ms. Hayes,

Further to our telephone conversation of this afternoon, please find attached the following documents for US Patent Application No. 09/730,461:

1. Auto-reply facsimile transmission dated 01/29/2003;
2. Copy of the Response to Notice of Fee Deficiency dated 01/29/03;
3. Copy of the Notice of Fee Deficiency;
4. Form PTO 1083;
5. Credit Card Form in the amount of \$174.00

Should you require additional information, please do not hesitate to contact me.

Thank you for your assistance with this matter.

Best regards,

*S. McVean*

Sonia V. McVean

**FAX RECEIVED**

FEB 12 2003

T.C. 2800

01/29/03 13:09:48

USPTO-&gt;

7033855080 RightPAY

Page 001

TO:Auto-reply fax t 7033855080 COMPANY:

## Auto-Reply Facsimile Transmission



UNITED STATES  
PATENT AND  
TRADEMARK OFFICE

TO:

Fax Sender at 7033855080

Fax Information

Date Received:

1/29/03 1:05:11 PM [Eastern Standard Time]

Total Pages:

6 (including cover page)

**ADVISORY:** This is an automatically generated return receipt confirmation of the facsimile transmission received by the Office. Please check to make sure that the number of pages listed as received in Total Pages above matches what was intended to be sent. Applicants are advised to retain this receipt in the unlikely event that proof of this facsimile transmission is necessary. Applicants are also advised to use the certificate of facsimile transmission procedures set forth in 37 CFR 1.8(a) and (b), 37 CFR 1.8(f). Trademark Applicants, also see the Trademark Manual of Examining Procedure (TMPE) section 306 et seq.

Received  
Cover  
Page  
=====>

01/29/2003 13:09	7033855080	KEATING & BENNETT	PAGE 01/06
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10400 Baton Rouge  
Suite 918  
FAIRFAX, VA  
Phone: (703) 286-5200  
Fax: (703) 286-0280

**KEATING & BENNETT LLP**

## Fax

To: 2800 Baton Rouge	From: Christopher A. Bennett
Re: (703) 072-0018	Date: January 29, 2003
Pages: 6	Page: 0
Re: Response to Notice of Fee Deficiency	CS

☐ Urgent  
 ☐ For Review  
 ☐ Please Comment  
 ☐ Please Reply  
 ☐ Please Recycle

~Continuation~

Dear Sir,

Please find attached the following documents for Application No. 09/730,461:

- Response to Notice of Fee Deficiency;
- Copy of Notice of Fee Deficiency;
- Form ITO-1083; and
- Credit Card Form in the amount of \$174.00.

Sincerely,

*Christopher A. Bennett*  
Christopher A. Bennett  
(40.7) (1)

FAX RECEIVED

FEB 12 2003

T.C. 2800

#10/Ltr  
2/14/03  
Hayes**CERTIFICATE OF FACSIMILE TRANSMISSION**

I hereby certify that this correspondence is being transmitted to Group Art Unit 2856, 703-872-9318, addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231

Date: January 29, 2003

sonia V. McVean  
Sonia V. McVean

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FEB 12 2003

**T.C. 2800**PATENT  
36856.826**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

<b>Applicant:</b> Hiroshi KAWAI	<b>Art Unit:</b> 2856
<b>Serial No.:</b> 09/730,461	
<b>Filed:</b> December 5, 2000	<b>Examiner:</b> T. Bellamy
<b>Title:</b> RESONANT ELEMENT AND VIBRATION ADJUSTING METHOD THEREOF	

**RESPONSE TO NOTICE OF FEE DEFICIENCY**

Under Secretary of Commerce for  
Intellectual Property and Director of the  
United States Patent and Trademark Office  
Washington, D.C. 20231

Sir:

In response to the Notice of Fee Deficiency dated January 13, 2003 (a copy of which is enclosed herewith), please find attached a Credit Card Payment Form in the amount of \$174.00 for payment of one additional independent claim (\$84.00), and five additional claims (\$90.00).

Applicant respectfully submits that this application is in condition for allowance.

Favorable consideration and prompt allowance are solicited.

02/14/2003 DSASFAL 00000013.09730461

01 FC:1201 84.00  
02 FC:1202 90.00

Received from &lt;17032181303&gt; at 2/12/03 4:22:18 PM [Eastern Standard Time]

Serial No. 09/730,461  
January 29, 2003  
Page 2 of 2

The Commissioner is authorized to charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account No. 50-1353.

Respectfully submitted,

Date: January 29, 2003

  
Attorneys for Applicant

Joseph R. Keating  
Registration No. 37,368

Christopher A. Bennett  
Registration No. 46,710

**KEATING & BENNETT LLP**  
10400 Eaton Place, Suite 312  
Fairfax, VA 22030  
Telephone: (703) 385-5200  
Facsimile: (703) 385-5080



## UNITED STATES PATENT AND TRADEMARK OFFICE

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 UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND  
 DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE  
 WASHINGTON, DC 20230  
 www.uspto.gov

FEB 12 2003

Paper No.

## T.C. 2800 NOTICE OF FEE DEFICIENCY

The informality regarding the payment of the fee is indicated below in connection with

09/30,461

- ☐ the original filing of the application and/or preliminary amendment (e.g. additional claim fees)
- ☐ the reply filed on \_\_\_\_\_ . The reply is not fully responsive to the prior Office action because of the \_\_\_\_\_ following matter(s). See 37 CFR 1.111 and 37 CFR 1.135.

## FEE(S) DUE

- ☒ 1. The reply (e.g., amendment) is considered incomplete in that the funds in Deposit Account No. 50-1353 are insufficient to cover the entire fee due. The balance\* is due within the time period set below.
- ☐ 2. The reply (e.g., amendment) is considered incomplete in that the Credit Card payment to cover the entire fee due to Account \_\_\_\_\_ (Card type + last 4 digits ONLY) was refused. The balance\* is due within the time period set below.
- ☐ 3. The reply (e.g., amendment) has not been entered, since applicant has failed to remit (or authorize charge to a Deposit Account or Credit Card) the fee as indicated on the attached Patent Application Fee Determination Record. Remittance or authorization is due within the time period set below.
- ☐ 4. The filing fee of \$ \_\_\_\_\_ submitted in this application is insufficient. A balance of \$ \_\_\_\_\_ is due for presentation of excess claims (37 CFR 1.16(b) & (c)).
- ☐ 5. Other.

Explanation (Provide specific details of the required correction in order to assist the applicant. Indicate whether a service charge has been added to the fee due):

\$84 for one extra claim over 3  
 \$90 for 5 claims over

APPLICANT IS GIVEN A TIME PERIOD OF ONE (1) MONTH or THIRTY (30) DAYS FROM THE MAILING DATE OF THIS NOTICE, WHICHEVER IS LONGER, WITHIN WHICH TO REMIT THE FEE\* IN ORDER TO AVOID ABANDONMENT. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136.

THE INDICATED AMOUNT OF THE FEE(S) DUE IS SUBJECT TO CHANGE YEARLY ON OCTOBER 1 (37 CFR 1.16 & 1.21). THE AMOUNT OF THE FEE(S) DUE IS DETERMINED AS OF THE DATE A COMPLETE REPLY IS RECEIVED BY THE OFFICE (37 CFR 1.8 & 1.10). BECAUSE THE AMOUNT DUE IS NOT NECESSARILY THE FEE INDICATED ABOVE, IT IS RECOMMENDED THAT APPLICANT CHECK THE CURRENT FEE SCHEDULE WHICH IS POSTED ON THE USPTO'S WEBSITE AT: <http://www.uspto.gov/web/offices/ac/qs/ope/fees.htm>

\*Service Charges: There is a \$50 service charge for processing each payment refused (including a check returned "unpaid") or charged back by a financial institution (37 CFR 1.21(m)). There is a \$25.00 service charge for each month when the balance of a deposit account is below \$1000 at the end of the month (37 CFR 1.21(b)(2)).

Theresa OKOM  
 Legal Instruments Examiner (LIE) or Clerk of Group

Inquires regarding this Notice should be addressed to the above at \_\_\_\_\_ (insert Phone Number).

MODIFIED FORM PTO-1083

Attorney Do No. 36856.826  
Date: January 29, 2003

Inventor(s): Hiroshi KAWAI

Serial No. : 09/730,461

Filed : December 5, 2001

For : RESONANT ELEMENT AND VIBRATION ADJUSTING METHOD THEREFOR

HON. COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231**FAX RECEIVED**

FER 1 2 2003

**T.C. 2800**

Sir:

Transmitted herewith is an amendment in the above-identified patent application.

Small entity status of this application under 37 CFR 1.9 and 1.27 has been established by a verified statement previously submitted.

A verified statement to establish small entity status under 37 CFR 1.9 and 1.27 is enclosed.

No additional fee is required.

The fee has been calculated as shown below:

(Col. 1) CLAIMS REMAINING AFTER AMENDMENT	(Col. 2) HIGHEST NO. PREVIOUSLY PAID FOR	(Col. 3) PRESENT. EXTRA	SMALL ENTITY RATE	SMALL ENTITY FEE	OR OR OR	OTHER THAN SMALL ENTITY RATE	OTHER THAN SMALL ENTITY FEE
TOTAL CLAIMS <u>26</u>	21 -	-5-	X 9	\$		X 18	\$90.00
INDEP CLAIMS <u>5</u>	4 -	-1-	X 42	\$		X 84	\$ 84.00
FIRST PRESENTATION OF MULTIPLE DEP CLAIMS			X+ 130	\$		+ 260	\$-0-
			TOTAL -			TOTAL=	\$174.00

\* If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.

\*\* If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, write "20" in this space.

\*\*\* If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, write "3" in this space. The "Highest Number Previously Paid For" (Total or Independent) is the highest number found from the equivalent box on Col. 1 of a prior amendment or the number of claims originally filed.

Please charge my Deposit Account No. 50-1353 the amount of \$\_\_\_\_\_. A duplicate copy of this transmittal letter is enclosed.

A check in the amount of \$\_\_\_\_\_ to cover the extension fee is enclosed.

X Credit Card Payment Form for \$174.00 covering the additional claims is enclosedX The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 50-1353. A duplicate copy of this transmittal letter is enclosed.X Any filing fees under 37 CFR 1.16 for the presentation of extra claims.X Any patent application processing fees under 37 CFR 1.17.

Respectfully submitted,

Christopher A. Bennett  
Reg. No. 46,710Keating & Bennett, LLP  
10400 Eaton Place, Suite 312  
Fairfax, VA 22030  
Tel: (703)385-5200

**CERTIFICATE OF FACSIMILE TRANSMISSION**

I hereby certify that this correspondence is being transmitted to Group Art Unit 2856, 703-872-9318, addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231

Date: January 29, 2003

*Sonia V. McVean*  
Sonia V. McVean

**FAX RECEIVED**

JAN 29 2003

TECHNOLOGY CENTER 2800

**PATENT**  
36856.826**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Hiroshi KAWAI	Art Unit: 2856
Serial No.: 09/730,461	
Filed: December 5, 2000	Examiner: T. Bellamy
Title: RESONANT ELEMENT AND VIBRATION ADJUSTING METHOD THEREOF	

**RESPONSE TO NOTICE OF FEE DEFICIENCY**

Under Secretary of Commerce for  
Intellectual Property and Director of the  
United States Patent and Trademark Office  
Washington, D.C. 20231

Sir:

In response to the Notice of Fee Deficiency dated January 13, 2003 (a copy of which is enclosed herewith), please find attached a Credit Card Payment Form in the amount of \$174.00 for payment of one additional independent claim (\$84.00), and five additional claims (\$90.00).

Applicant respectfully submits that this application is in condition for allowance.  
Favorable consideration and prompt allowance are solicited.

Serial No. 09/730,461  
January 29, 2003  
Page 2 of 2

The Commissioner is authorized to charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account No. 50-1353.

Respectfully submitted,

Date: January 29, 2003

  
Attorneys for Applicant

Joseph R. Keating  
Registration No. 37,368

Christopher A. Bennett  
Registration No. 46,710

**KEATING & BENNETT LLP**  
10400 Eaton Place, Suite 312  
Fairfax, VA 22030  
Telephone: (703) 385-5200  
Facsimile: (703) 385-5080

**FAX RECEIVED**

JAN 29 2003

TECHNOLOGY CENTER 2800





## UNITED STATES PATENT AND TRADEMARK OFFICE

UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND  
DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, DC 20231  
www.uspto.gov

Paper No.

## NOTICE OF FEE DEFICIENCY

09/30, 461

The informality regarding the payment of the fee is indicated below in connection with

- ☐ the original filing of the application and/or preliminary amendment (e.g. additional claim fees)
- ☐ the reply filed on \_\_\_\_\_ . The reply is not fully responsive to the prior Office action because of the \_\_\_\_\_ following matter(s). See 37 CFR 1.111 and 37 CFR 1.135.

## FEE(S) DUE

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\$184 for one extra claim over 3  
\$90 for 3 claims over

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Theresa Dixon  
Legal Instruments Examiner (LIE) or Clerk of Group

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MODIFIED FORM PTO-1083

Attorney Docket No. 36856.826Date: January 29, 2003

Inventor(s): Hiroshi KAWAI

Serial No.: 09/730,461

Filed : December 5, 2001

For : RESONANT ELEMENT AND VIBRATION ADJUSTING METHOD THEREFOR

HON. COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

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☐ Small entity status of this application under 37 CFR 1.9 and 1.27 has been established by a verified statement previously submitted.☐ A verified statement to establish small entity status under 37 CFR 1.9 and 1.27 is enclosed.☐ No additional fee is required.

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INDEP CLAIMS <u>5</u>	4 =	-1-	X 42	\$		X 84	\$ 84.00
<u>FIRST</u> PRESENTATION OF MULTIPLE DEP CLAIMS			X+ 130	\$		+ 260	\$-0-
			TOTAL =			TOTAL =	\$174.00

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Respectfully submitted,

Christopher A. Bennett  
Reg. No. 46,710Keating & Bennett, LLP  
10400 Eaton Place, Suite 312  
Fairfax, VA 22030  
Tel: (703)385-5200